

## UNITED STATES PATENT AND TRADEMARK OFFICE

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JFW

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/805,251	03/22/2004	Toshiki Taguchi	Q80578

CONFIRMATION NO. 8946

## FORMALITIES LETTER



\*OC000000012867651\*

23373  
SUGHRUE MION, PLLC  
2100 PENNSYLVANIA AVENUE, N.W.  
SUITE 800  
WASHINGTON, DC 20037

Date Mailed: 06/04/2004

## NOTICE OF OMITTED ITEM(S) IN A NONPROVISIONAL APPLICATION

## FILED UNDER 37 CFR 1.53(b)

A filing date has been accorded to the above-identified nonprovisional application papers; however, the following item(s) appear to have been omitted from the application:

- Page(s) 2 of the specification (description and claims).

I. Should applicant contend that the above-noted omitted item(s) was in fact deposited in the U.S. Patent and Trademark Office (USPTO) with the nonprovisional application papers, a copy of this Notice and a petition (and \$130.00 petition fee (37 CFR 1.17(h))) with evidence of such deposit **must** be filed within **TWO MONTHS** of the date of this Notice. The petition fee will be refunded if it is determined that the item(s) was received by the USPTO.

II. Should applicant desire to supply the omitted item(s) and accept the date that such omitted item(s) was filed in the USPTO as the filing date of the above-identified application, a copy of this Notice, the omitted item(s) (with a supplemental oath or declaration in compliance with 37 CFR 1.63 and 1.64 referring to such items), and a petition under 37 CFR 1.182 (with the \$130.00 petition fee (37 CFR 1.17(h))) requesting the later filing date **must** be filed within **TWO MONTHS** of the date of this Notice.

Applicant is advised that generally the filing fee required for an application is the filing fee in effect on the filing date accorded the application and that payment of the requisite basic filing fee on a date later than the filing date of the application requires payment of a surcharge (37 CFR 1.16(e)). To avoid processing delays and payment of a surcharge, applicant should submit any balance due for the requisite filing fee based on the later filing date being requested when submitting the omitted items(s) and the petition (and petition fee) requesting the later filing date.

III. The failure to file a petition (and petition fee) under the above options (I) or (II) within **TWO MONTHS** of the date of this Notice (37 CFR 1.181(f)) will be treated as a constructive acceptance by the applicant of the application as deposited in the USPTO. **THIS TWO MONTH PERIOD IS NOT EXTENDABLE UNDER 37 CFR 1.136(a) or (b)**. In the absence of a timely filed petition in reply to this Notice, the application will maintain a filing date as of the date of deposit of the application papers in the USPTO, and original application papers (*i.e.*, the original disclosure of the invention) will include only those application papers present in the USPTO on the date of deposit.

In the event that applicant elects not to take action pursuant to options (I) or (II) above (thereby constructively electing option (III)), amendment of the specification to renumber the pages consecutively and cancel incomplete sentences caused by any omitted page(s), and/or amendment of the specification to cancel all references to any

omitted drawing(s), relabel the drawing figures to be numbered consecutively (if necessary), and correct the references in the specification to the drawing figures to correspond with any relabeled drawing figures, is required. A copy of the drawing figures showing the proposed changes in red ink should accompany with any drawing changes . Such amendment and/or correction to the drawing figures, if necessary, should be by way of preliminary amendment submitted prior to the first Office action to avoid delays in the prosecution of the application.

Replies should be mailed to: Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

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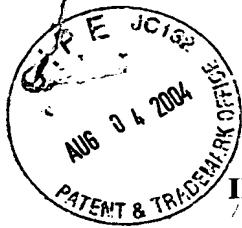
*A copy of this notice MUST be returned with the reply.*



Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



**PATENT APPLICATION**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of

Docket No: Q80578

Toshiki TAGUCHI, et al.

Appln. No.: 10/805,251

Group Art Unit: 2835

Confirmation No.: 8946

Examiner: not yet assigned

Filed: March 22, 2004

For: INKJET INK SET AND INKJET RECORDING METHOD

**RESPONSE TO NOTICE OF OMITTED ITEM(S) IN A NONPROVISIONAL  
APPLICATION**

**FILED UNDER 37 CFR 1.53(b)**

**PETITION UNDER 37 C.F.R. 1.17(h)**

**MAIL STOP MISSING PARTS**

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

In response to the "Notice of Omitted Item(s) in a Nonprovisional Application Filed under 37 CFR 1.53(b)", mailed June 4, 2004, for the above-identified application, in which it is stated that "Page(s) 2 of the specification (description and claims) appear(s) to have been omitted from the application," Applicant respectfully submits this Petition contending that a complete set of specification of one-hundred and forty-eight (148) pages (comprising the specification, claims and abstract), including the purportedly missing page 2 of the specification, was actually filed, received and acknowledged by the PTO on March 22, 2004.

Appln. No.: 10/805,251  
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A copy of the PTO receipt issued on March 22, 2004 as well as a copy of the Early Notification of Serial Card postcard issued and duly stamped by the PTO confirming that a complete set of 148 pages of specification was received by the PTO are hereby respectfully submitted. Additionally, Applicant is also resubmitting a complete set of the specification, claims and abstract comprising one-hundred and forty-eight (148) pages. Also attached is a copy of the Notice of Omitted Item(s).

In view of the foregoing, Applicant respectfully requests that the Notice of Omitted Item(s) mailed on June 4, 2004 be rescinded with a confirmation that the said Notice has been vacated.

The PTO is hereby authorized to charge Petition Fee of \$130.00 to Deposit Account No. 19-4880. But as the item which the Office alleges is missing was in fact filed with the application, Applicant respectfully requests refund of the Petition Fee of \$130.00 by crediting Deposit Account 19-4880.

Respectfully submitted,

  
for   
Mark Boland  
Registration No. 32,197

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WASHINGTON OFFICE  
**23373**  
CUSTOMER NUMBER

**AUG 4 2004**

REQUEST FOR EARLTIFICATION OF SERIAL NUMBER

Inventor(s): Toshiki TAGUCHI and Manabu OGAWA

Title: INKJET INK SET AND INKJET RECORDING METHOD

Atty Doc. #: Q80578 Client: NGB CORPORATION

Filing Date: March 22, 2004 # Pgs. Spec/Abst: 147/1 #Claims: 11# Dwg. Sheets: No Decl Yes. Prelim Amdt NoIDS/Prior Art: No Pr Doc: No Asgmt: Yes Fee: \$770/40  
PTO FORM 1595 Check Attached  Charge to Deposit # 19-4880 Atty/Sec: MB/tao

SERIAL NO.:

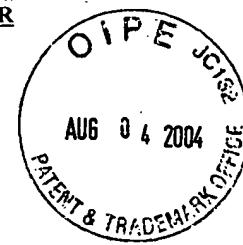
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22856 U.S. PTO

10/805251



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REQUEST FOR EARLY NOTIFICATION OF SERIAL NUMBER

72

Inventor(s): Toshiki TAGUCHI and Manabu OGAWA

Title: INKJET INK SET AND INKJET RECORDING METHOD

Atty Doc. #: Q80578 Client: NGB CORPORATION

Filing Date: March 22, 2004 # Pgs. Spec/Abst: 147/1 #Claims: 11

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PTO FORM 1595

Check Attached  Charge to Deposit # 19-4880 Atty/Sec: MB/tao

SERIAL NO.:

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